

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DEANDRE D. NEALEY,

Plaintiff, :

v.

Case No. 2:24-cv-4037
Chief Judge Sarah D. Morrison
Magistrate Judge Chelsey M.
Vascura

THE BARCUS COMPANY, et
al., :

Defendants.

ORDER

DeAndre D. Nealey filed this suit, without the assistance of counsel, against several Franklin County Municipal Court Judges, the property management company that brought an eviction action against him, and the property management company's attorney. (Compl., ECF No. 1-1.) Mr. Nealey alleges that he was wrongfully evicted. (*Id.*) After performing an initial screen of the Complaint pursuant to 28 U.S.C. § 1915(e)(2), the Magistrate Judge issued a Report and Recommendation recommending that the Court dismiss the Complaint for lack of subject-matter jurisdiction. (R&R, ECF No. 5.) Mr. Nealey timely objected. (Obj., ECF No. 8.)

If a party objects to a report and recommendation, the Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). Upon review, the Court "may accept, reject, or modify, in whole or in

part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

The Magistrate Judge construed Mr. Nealey’s § 1983 claim as attacking the validity of the Franklin County Municipal Court’s eviction proceedings. (R&R, PAGEID # 60.) She explained that federal district courts lack jurisdiction over such claims under the *Rooker-Feldman* doctrine. (*Id.* (citing, *inter alia*, *Rooker v. Fidelity Tr. Co.*, 263 U.S. 413 (1923) and *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983)).) The Magistrate Judge went on to conclude that the other federal statutes cited in Mr. Nealey’s Complaint—all criminal statutes—do not provide a private cause of action. (*Id.*, PAGEID # 61.)

The Court finds no error in the Magistrate Judge’s conclusions or reasoning. Mr. Nealey’s objection provides no basis otherwise. There, Mr. Nealey repeats many of the allegations that appear in the Complaint, but he does not explain why this Court has subject-matter jurisdiction over any of his claims.¹ (*See Obj.*) Accordingly, Mr. Nealey’s Objections (ECF No. 8) are **OVERRULED**. The Court **ADOPTS** and **AFFIRMS** the Magistrate Judge’s Report and Recommendation (ECF No. 5). The Complaint is **DISMISSED**. Mr. Nealey’s pending motions (ECF Nos. 2, 4, 7) are **DENIED as moot**. The Clerk is **DIRECTED** to **TERMINATE** this case.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON, CHIEF JUDGE
UNITED STATES DISTRICT COURT

¹ Mr. Nealey’s Amended Complaint (ECF No. 6) contains the same deficiencies as his original Complaint.